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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,545	03/29/2004	Dieter Schaffrath	A-3937	5313
24131	7590	04/05/2006	EXAMINER	
LERNER GREENBERG STEMER LLP			COLILLA, DANIEL JAMES	
P O BOX 2480			ART UNIT	
HOLLYWOOD, FL 33022-2480			PAPER NUMBER	
			2854	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/813,545	Applicant(s) SCHAFFRATH ET AL.	
	Examiner Daniel J. Colilla	Art Unit 2854	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1,5-9,11 and 12 is/are rejected.
- 7) ☒ Claim(s) 2-4 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/29/04</u> . | 6) <input type="checkbox"/> Other: _____ |

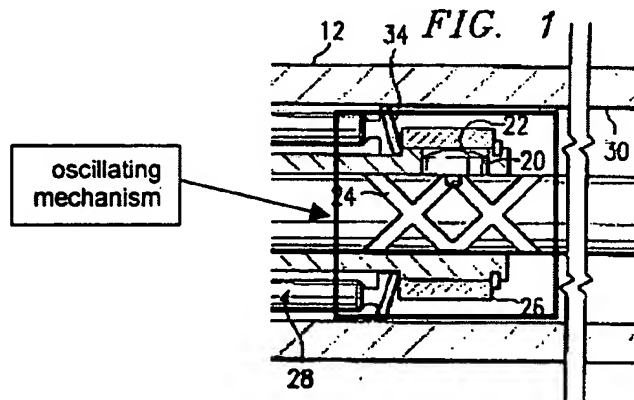
DETAILED ACTION***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5-8 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Villarreal (US 4,869,167) in view of Königer (US 6,595,133).

With respect to claim 1, Villarreal discloses the claimed oscillating roll assembly except for the at least one roll lock. Villarreal discloses an oscillating roll 12, a roll shaft 14 and a roll barrel rotatably and axially displaceably mounted on the roll shaft as shown in Figure 1 of Villarreal (Villarreal, col. 1, lines 33-44). Also disclosed is an oscillating mechanism (shown below in the Figure taken from Figure 1 of Villarreal) for moving the roll barrel to and fro along the roll shaft 14.



Villarreal further discloses a fixing device 80,86 configured to secure the roll barrel against displacement along the roll shaft 14 (either in a dismantled state or assembled state). The fixing device 80,86 can be configured to permit axial displacement (either in a dismantled state or assembled state) (see Villarreal, col. 3, lines 65-66 and col. 4, lines 1-4). Königer teaches an oscillating roll assembly including a roll lock 5,7 as shown in Figure 1 of Königer. It would have been obvious to combine the teaching of Königer with the oscillating roll assembly disclosed by Villarreal for the advantage of easily and releasably attaching and detaching the oscillating roll assembly from the machine frame for providing maintenance.

With respect to claim 5, the fixing device 80,86 is capable of latching an deactivation in any desired axial position since all that is required is the screw 86 to be tightened at any particular position.

With respect to claim 6, the fixing device 80,86 is configured to be continuously operative in all operating stages of the oscillating roller in the sense when the screw 86 is tightened, it remains so, while the roll 12 operates.

With respect to claim 7, Villarreal discloses that the oscillating roller is driven by circumferential surface friction by contact with a drive roller (Villarreal, col. 1, lines 43-52).

With respect to claim 8, as shown in the above Figure, the oscillating mechanism is at least partly integrated into the roll barrel.

With respect to claim 11, the roll 12 disclosed by Villarreal is not an applicator roll.

With respect to claim 12, Villarreal discloses that the printing material processing machine in which the assembly is located is a press and that the oscillating roll 12 is an ink distributor roll (Villarreal, col. 2, lines 21-26).

3. Claims 1 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider *et al.* (DE 10118132) in view of Königer (US 6,595,133).

With respect to claim 1, Schneider *et al.* discloses the claimed oscillating roll assembly except for the at least one roll lock. Schneider *et al.* discloses an oscillating roll 04, a roll shaft 10 and a roll barrel rotatably and axially displaceably mounted on the roll shaft as shown in Figure 4 of Schneider *et al.* Also disclosed is an oscillating mechanism (roller 03, see Schneider *et al.*, paragraph [0023] for moving the roll barrel to and fro along the roll shaft 10. Schneider *et al.* further discloses a fixing device 32,33 configured to secure the roll barrel against displacement along the roll shaft 10 (either in a dismantled state or assembled state). The fixing device 32,33 can be configured to permit axial displacement (either in a dismantled state or assembled state).

Königer teaches an oscillating roll assembly including a roll lock 5,7 as shown in Figure 1 of Königer. It would have been obvious to combine the teaching of Königer with the oscillating roll assembly disclosed by Schneider *et al.* for the advantage of easily and releasably attaching and detaching the oscillating roll assembly from the machine frame for providing maintenance.

With respect to claim 9, Schneider *et al.* discloses that a portion of the sleeve 32 of the fixing device 32,33 is integrated into said roll barrel as shown in figure 4 of Schneider *et al.*

Allowable Subject Matter

4. Claims 2-4 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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5. The following is a statement of reasons for the indication of allowable subject matter:

Claim 2 has been indicated as containing allowable subject matter primarily for the fixing device being mechanically coupled to the roll lock such that the fixing device is automatically activated to fix said roll barrel.

Claim 3 has been indicated as containing allowable subject matter primarily for the fixing device being mechanically coupled to the roll lock such that the fixing device is automatically deactivated upon mounting of the oscillating roll.

Claim 4 has been indicated as containing allowable subject matter primarily for the fixing device being a drum brake.


Claim 10 has been indicated as containing allowable subject matter primarily for the switching element being movably mounted for activation by the roll lock.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Colilla whose telephone number is 571-272-2157. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 13, 2006


Daniel J. Colilla
Primary Examiner
Art Unit 2854